

Public Act 195 of 1996
Effective May 15, 1996

Sec 1. **Title:** police officer=s and fire fighter=s survivor tuition act.

Sec 2. **Definitions:**

Child: natural or adopted child under 21 at time of death of deceased PO or FF.
Department: state police.

Killed: death was the direct and proximate result of traumatic injury incurred in the line of duty.

Line of Duty: action that a PO or FF is obligated or authorized to perform by rule, regulation, condition of employment or service, or law, (including a social, ceremonial, or athletic function that the PO or FF is assigned or compensated for by his public agency.

Michigan PO: sheriff or sheriff=s deputy, village or township marshal, officer of any city, village, or township, officer of the state police, any other PO trained and certified pursuant to the MLEOTC act.

Michigan FF: member, volunteer or paid, of a fire department, or other organization that provides fire suppression and other fire-related services, of a city, township, village, or county who is responsible for extinguishment of fires. Does not include a person whose job description, duties, or responsibilities do not include direct fire.

Occupational Disease: a disease that routinely constitutes a special hazard in, or is commonly regarded as concomitant of, the PO or FF occupation.

State Institution of Higher Education: a public community or junior college (sec 7, art. VIII constitution, or Act 451 of 1976; MCL 380.1601 to 1607), state university (sec. 4, 5, or 6, art. VIII, constitution)

Traumatic Injury: wound or the condition of the body caused by external force (including: injury inflicted by bullet, explosive, sharp instrument, blunt object or other physical blow, fire, smoke, chemical, electricity, climatic condition, infectious disease, radiation, or bacteria, but excluding an injury resulting from stress, strain, or occupational disease).

Tuition: the tuition rate charged to Michigan residents.

Sec 3. **Reimbursement Procedures:**

1. Beginning 96/97 academic year, subject to limits in subsections 2, 3, and 4, a state institution shall waive tuition for each child and surviving spouse of a PO or FF killed in the line of duty if they meet the following requirements:
 - a. Applies, qualifies, and is admitted full-time, part-time, or summer school in a program of study leading to a degree or certificate.
 - b. Is a legal resident of Michigan for 12 consecutive months preceding application. For dependents use parent=s residency. For non-dependent, use same manner as under title IV of the higher education act of 1965.
 - c. Applies for waiver under this act and provides satisfactory evidence to

the department that they are child or surviving spouse of PO or FF killed in the line of duty, that courses meet requirements in subsection 2 and meets other requirements of this section.

- d. A child of PO or FF who applies under c for the first time before age of 21.
 - e. Is certified by the financial aid officer of the state institution of higher education that waiver is needed to meet education expenses. Child=s or spouse=s family income (excluding any income from death benefits attributable to PO or FF death) is below 400% of poverty level under federal poverty guidelines (U.S. HHS)
 - f. Maintains satisfactory academic progress for each enrolled term or semester. Progress defined by institution under title IV of the higher education act of 1965.
 - g. Has not achieved a bachelor=s degree and has received tuition reimbursement under this act for less than 124 semester credits or 180 term credits at an institution of higher education.
2. The state institution of higher education shall waive tuition only for courses applicable toward a degree or certificate requirements of the program in which they are enrolled.
 3. Child or surviving spouse of PO or FF is eligible for waiver not more than 9 semesters or equivalent in terms
 4. Tuition waived to extent that it is not covered or paid by any scholarship, trust fund, statutory benefit, or other source of tuition coverage.

Sec 4. Reimbursement of Institutions of Higher Education:

1. Beginning 96/97 academic year, upon receiving an app under sec 3c, the department shall determine if request meets section 3 requirements. If so, shall approve the app and notify the institution.
2. Beginning 96/97 academic year, the department shall reimburse *annually* each state institution of higher education for the total amount of tuition waived during the preceding FY under sec. 3. The department shall annually report to the legislature the number of individuals for which tuition has been waived at each institution and the total amount paid under the act for each FY.

Sec 5. Applications and Procedures:

The department shall provide the forms and applications and cooperate with institutions to develop efficient procedures.

Sec 6. Annual Appropriations:

The legislature shall annually appropriate the necessary funds.